

REMARKS

Applicant has amended the claims providing the proper status identifier of all claims (specifically, changing "Previously Amended" to read "Previously Presented"), in response to the Notice of Non-Compliant Amendment dated January 21, 2004.

Claims 1, 3-5, and 7-22 are pending in the above-identified application. In the office action of June 20, 2003, claims 1, 3-5, and 7-16 were rejected. With this amendment, claims 1, 7 and 15 were amended and claims 17-22 were added. Applicant maintains that no new matter has been added. Accordingly, claims 1, 3-5, and 7-16 are at issue in the above-identified application.

Applicant would like to thank Examiner Anderson for his courteous and helpful interview held with Applicant's representative on November 13, 2003. During the interview, proposed amendments to claim 1 were discussed, along with the implied order of the elements in the claims in relation to the prior art.

A. §103 Rejections:

Claims 1, 3-5 and 7-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kiyoku et al. (U.S. Patent No.: 6,153,010) in view of Sugiura et al. (U.S. Patent No.: 6,015,979). Applicants respectfully traverse these rejections.

Amended claim 1, from which claims 3-5 and 7-14 depend, recites a method of manufacturing a crystal of a III-V compound of the nitride system comprising growing a first crystal layer, forming a first mask pattern on the first crystal layer, and etching the first crystal layer *through the first mask pattern*. In contrast, neither Kiyoku et al. nor Sugiura et al., either alone or in combination, teach or suggest etching a first crystal layer *through a first mask pattern*. For example, Kiyoku et al. teaches forming a nitride semiconductor layer 71 on a support member 10, forming recess portions 72a to 72f in the nitride semiconductor layer 71, and *then* forming growth control masks 73a to 73g and 74a to 74f on the nitride semiconductor layer

71. (See Kiyoku et al., col. 15, lines 4-44, and FIGS. 7A-7D.) Kiyoku et al. does not teach or even suggest etching the semiconductor layer 71 through the growth control masks 73a to 73g and 74a to 74f. In fact, by forming the growth control masks 73a to 73g and 74a to 74f on both the upper surface portion and the lower surface portion of the semiconductor layer 71, Kiyoku et al. teaches away from etching the semiconductor layer 71 through growth control masks 73a to 73g and 74a to 74f. Accordingly, Applicant submits that the claimed invention is not anticipated by nor obvious over the applied references, either alone or in combination. Withdrawal of these grounds of rejection is respectfully requested.

CONCLUSION

In view of the remarks set forth above, Applicant respectfully submits that the present invention is in condition for allowance. Early notification to such effect is earnestly solicited. Should the Examiner have any remaining issue, Applicant kindly requests that the Examiner contact the undersigned.

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Respectfully submitted,

By: 

David Rozenblat

Registration No. 47,044

SONNENSCHN NATH & ROSENTHAL

P.O. Box 061080

Wacker Drive Station, Sears Tower

Chicago, Illinois 60606-1080

(312) 876-8000

SONNENSCHN NATH & ROSENTHAL, LLP

Attn: David Rozenblat

P.O. Box #061080

Wacker Drive Station-Sears Tower

Chicago, Illinois 60606-1080

(312) 876-8994

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Signature 

Date 2/2/04